

New Directions in New Haven

A Pathbreaking New Teacher Contract

By Claus von Zastrow
From *Public School Insights*

Teachers in New Haven, CT, recently ratified a contract that Education Secretary Arne Duncan praised as an “important progressive labor agreement” for its provisions on teacher evaluation and school reform. David Cicarella, president of the New Haven Federation of Teachers, talked with Claus von Zastrow about the agreement.

Public School Insights (PSI): *There has been a lot of praise for the new contract in New Haven. What are its most groundbreaking provisions?*

Cicarella: Three components get the most attention: our willingness to discuss tenure; our willingness to talk about including test scores as a part of teacher evaluation; and the contract’s provisions for closing and chartering schools.

PSI: *With tenure, what is the big accomplishment?*

Cicarella: Historically, unions have been unwilling to discuss tenure, because it’s the only pro-

tection that teachers have against unfair dismissal. But we can’t have folks—and this is a complaint that the public makes and is legitimate—going through two, three, four years of improvement plan after improvement plan, when everyone knows that teacher is not doing a good job.

So with this agreement, we say: If you have a problem with a tenured teacher, do your evaluations. Do a plan of improvement, or whatever support mechanism you put in place. If the teacher responds and improvement is made, terrific. If they don’t respond, give them to us.

Claus von Zastrow is executive director of Learning First Alliance. Condensed, with permission, from Public School Insights, December 15, 2009.

We are going to establish a peer assistance and review program. Lots of districts have them. In New Haven, master teachers who we have trained will support and review the performance of tenured teachers that administrators consider ineffective.

We don't necessarily trust evaluations to be accurate. We have some outstanding administrators who do a great job. We have some who, quite frankly, shouldn't be administrators. So we are saying that after you evaluate these teachers, give them to us. We'll put them in our peer assistance and review program.

If the teacher improves while working with us, terrific. If they don't, the difference is now that we are willing to say, "We agree with you." You evaluated the teacher and found them lacking with classroom management, instruction, maybe both. We see the same thing.

So again, we are willing to look at and discuss tenured folks. But we want to have confidence that we have afforded that person every opportunity to improve.

PSI: *What is the incentive for peer review teachers to counsel those teachers out of the profession if they don't improve?*

Cicarella: The peer review teachers will not necessarily be the ones who counsel them out. We'll do that as a union. This system acts as

a check and balance, to make sure we've had an opportunity to look at these teachers in case we have some difference of opinion about performance. Peer reviewers give us their observations. They may say, "We don't see it—we think this teacher has done a pretty good job" or "We think this teacher has made improvement and want to continue this support."

If they say that a teacher doesn't have it and is not responding to the support plan, we have to be willing to say, "Maybe this is just not the job for you." The teacher could still say, "I'm going to do it on my own" and get an attorney. But usually at that point, when the teacher realizes the union has agreed this is not something worth pursuing, they are going to say they should probably just move on.

We want to make certain that tenured teachers have been afforded every opportunity to improve. But we are committed to make sure that the best people are in our classrooms.

PSI: *The second area you mentioned involved using test scores in the evaluation of teachers.*

Cicarella: In the past, this was another subject that was off limits. Unions would never even discuss it, for good reasons—there are too many factors beyond a teacher's control that impact student test scores for teachers to be held solely accountable for those

scores. And these tests were not designed to rank schools or judge teachers—they were designed to drive instruction.

However, the tests are here to stay. And scores are looked at in these ways. We understand that test scores are important and that there is accountability on the teacher's part for instruction. But we want to make sure test scores are used properly.

So we have said in this agreement that we will include test scores in evaluations. But we're going to sit down together—administrators and union representatives—to work out how.

PSI: *One idea under discussion is that if bonuses are awarded on the basis of test scores, they be awarded for the entire school.*

Cicarella: That is exactly right. We want to make sure we reward people, give some incentive for hard work and accomplishment. At the same time, using an individual teacher's test scores pits one teacher against another. And how can you fairly put a number on that type of thing? A school-based bonus, where everyone participates—the principal, teachers, paraprofessional, custodians, cafeteria workers . . . everyone—is the best answer.

So at a school, they will set up benchmarks. They'll determine their goals for reading, for math, for increasing parental involve-

ment, reducing suspensions, how much improvement they want to see grade by grade, subject by subject. Using whatever amount of money the school gets as their bonus, they'll decide how much the principal gets, how much the individual teacher gets, how much cafeteria workers get, etc.

Everyone is invested. No one will turn a blind eye to a student, thinking that it's not his or her problem. Everyone is invested, working together, and there is a bonus attached to it.

PSI: *Let's move on to closing or reconstituting persistently struggling schools. What is the essence of that provision in this agreement?*

Cicarella: We've allowed for great flexibility. Everything has been on the table in terms of what you can do if you're going to close down a school and reconstitute it. Can you bring in a third party operator? Yes. Can you make a longer school day? If necessary. What about new reading programs, new math programs, etc.? Absolutely.

With this agreement, we say that if you need to charter a school, that's fine. Our only position is that you don't need nonunion charter schools. The unions are not the problem, and to make charters nonunion flies in the face of the research. Eighty-three percent of nonunion charter schools have performed no better or worse than traditional public schools.

So do this with us. We have a lot of resources we can, and will, put into it.

Closing and chartering gets an awful lot of attention, but in New Haven, there are 47 schools. They talk about chartering out perhaps two or three next year. It's not like the whole school system is going to be closed down and we are going to charter everyone out. This extreme measure comes after a series of interventions when they don't see improvement. At that point, they may say, "Look, we have tried everything else, we need to try this." Our position is, as a union, we agree. If we have gotten to that point, where we just don't see the progress, despite everyone's best efforts, we probably should go to something like this.

PSI: *I understand that during the close-down process, staff in those schools are going to be asked to reapply.*

Cicarella: That is correct. We want to give the administration, whether it's the same principal, a new principal, or a third-party operator the opportunity to pick their staff. So everyone in that building will reapply.

They may lay out longer school days, more days each year, staff meetings on different days. They will list out the parameters for the working conditions. Then teachers will look at it, and maybe say, "I can't do it." It may be too long

a day, they may have day care issues, graduate school. Other folks will say, "That's for me." And anyone else in the district can also apply. They can look at that school's charter and say, "That is something I want to do."

At the end of the day, the new principal, new administration, get to choose. And let's say they have 50 openings and chose 30 people from the district. They may tell the superintendent, "For our program, of the applicants we have, we only have about 30 that are good fits in our opinion. We need to hire 20 more or so from the outside." They are free to do that.

PSI: *When you read the news about school reform, all the stories seem to be about debates that leave blood on the floor. Big fights. That doesn't seem to have happened in New Haven. What made it possible to have such a collaborative atmosphere there?*

Cicarella: Our position was, we'll talk about anything. With tenure and test scores, we had to make sure those were framed properly. But we'll still talk about them. And it was the same thing on the administrators' side. We decided that everything needed to be on the table, and we needed to have some compromise.

All we have ever done in the past—not just in New Haven but I think in education in general—is work around the perimeter. We

make changes around the edges, and hope everybody will go away and we can go back to what we've always done. And if we're making changes, then we're saying we've done something wrong in the past, and it's hard for folks to admit to that.

As a union, we had to recognize that if things are going to improve, we need to do some things differently. We don't have to throw everything out, but we need to make changes. And we have to be willing to look at everything, including things we were not willing to look at in the past.

The same thing on the other side. They had to be willing to do that. If they were up there saying,

"We're going to fire all these teachers, we are going to get rid of tenure, and we're going to charter out all our schools," then we couldn't have any discussion. So initially, all our discussions were based around the need for flexibility and compromise—working in from the ends, the two opposite poles, to get closer to the middle.

We tried to be reasonable and arrive at the center, but there were some things we had to give to them and other things they had to give to us. That was the guiding principle the whole way—that this was going to require some compromise. Throughout the entire discussion, everything was open for discussion. ■

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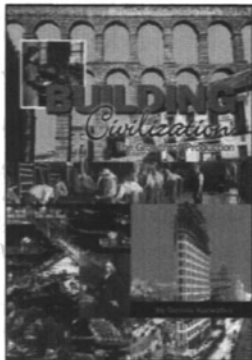
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